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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,175	08/01/2003	Kevin T. Klawon		4890

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George R. Royer
Suite 416
316 N. Michigan Street
Toledo, OH 43624

EXAMINER	
HOFFMAN, BRANDON S	

ART UNIT	PAPER NUMBER
2436	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/633,175	KLAWON, KEVIN T.	
	Examiner	Art Unit	
	BRANDON S. HOFFMAN	2436	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 March 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2 and 4-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 4-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1, 2, and 4-9 are pending in this office action, claim 3 is canceled.

2. Applicant's arguments, filed April 25, 2007, have been considered and are persuasive.

Claim Rejections

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, and 4-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Candella et al. (U.S. Patent Pub. No. 2005/0021476).

Regarding claim 1, Candella et al. teaches **a computer based and operated** identity authentication system for verifying true identity of an individual and **yielding identity verification information** providing **said identity verification information** to an entity seeking said identity authentication **information** of said individual, comprising:

- Collecting multiple information aspects relating to the identity of said individual **and entering such information aspects into said computer based system** (fig. 2A, ref. num 28, 29, 30, 31);
- Assigning rating scores for each of said information aspects of said individual **and entering said rating scores into said computer based system** (paragraph 0031);
- **Compiling on said computer based system** each of said rating scores for each said information **aspects to achieve** a total rating score **for all of said information aspects** for said identity authentication **of said individual** (fig. 4, ref. num 75);
- Providing said rating score to said entity seeking identity authentication of said individual**, for said entity to accept or reject said individual** (fig. 4, ref. num 72 and 73).

Regarding claim 2, Candella et al. teaches **a computer based and operated** identity authentication system for verifying true identity of an individual **seeking approval by an entity** and providing **identity verification information** to identity **verification information** seeking said identity authentication of said individual:

- Collecting multiple information aspects relating to the identity of said individual **and entering such information aspects into said computer based system** (fig. 2A, ref. num 28, 29, 30, 31);
- Assigning numerical **rating** scores for each of said information aspects of said individual **and entering said rating scores into said computer based system** (paragraph 0031);
- Adding **in said computer based system** each of said numerical scores for each said information aspects **for said individual** for a total numerical score for said identity authentication **processing of said individual**, said addition being accomplished by computer means **in said computer based authentication system** (fig. 4, ref. num 75);
- Providing said numerical score to said entity seeking identity authentication of said individual **for said entity to accept or reject said individual** (fig. 4, ref. num 72 and 73).

Regarding claim 4, Candella et al. teaches **a computer based** identity authentication system for **providing identity authentication information** verifying the identity of an individual and providing **said identity authentication** to an entity seeking said identity authentication of said individual, **for rejection or acceptance by said entity** comprising:

- Accumulating identity information about an individual (fig. 2A, ref. num 28, 29, 30, 31);

- Placing said identity information into a computer program (fig. 3A, ref. num 60);
- Placing a mathematical score on each of said accumulated identity information of said individual, and adding said total score of all accumulated identity information **pursuant to the following formula processed in said computer system, RT=R1+R2+…+RN** (fig. 4, ref. num 75)**;**
- **Providing said mathematical score information to said entity to determine acceptance or rejection of said individual** (fig. 4, ref. num 72 and 73)**;**
- **Rejecting or accepting said individual by said entity depending on the total score of said individual as reported to said entity** (paragraph 0061).

Regarding claim 5, Candella et al. teaches a system for authenticating the identity status of an individual for establishing said **individual** identity status **utilizing a computer based system**:

- Collecting multiple information aspects relating to the identity of said individual **and placing such information in such computer system** (fig. 2A, ref. num 28, 29, 30, 31);
- Assigning rating scores for each of said information aspects of said individual **and placing said scores in said computer system** (paragraph 0031);
- Adding **said computer based system** each of said rating scores for each, said information aspects for a total rating score for said identity authentication, said adding accomplished through computer processing means **in said computer based system** (fig. 4, ref. num 75);

- Providing said resultant rating score to said entity seeking identity authentication of said individual (fig. 4, ref. nm 72 and 73).

Regarding claim 6, Candella et al. teaches a **computer based** system for rating credibility of an individual among various individuals establishing one or more credibility traits for rating purposes, establishing a mathematical rating scale for each of said credibility traits through computer processing through the following formulations: RT=R1+R2+R3 . . . +RN Where RT=total rating score and R1, R2, R3 and RN are individual credibility traits (fig. 4 and paragraph 0031).

Regarding claim 7, Candella et al. teaches a system for rating credibility worthiness of an individual comprising of the following steps:

- Assigning various categories to rate an individual (fig. 2A, ref. num 28, 29, 30, and 31);
- Providing a rating scale for each of said categories (paragraph 0031);
- Calculating an overall rating score for the total of each said rated category using a computer means to calculate same (fig. 4, ref. num 75);
- **Means to communicate confidentially said score to a third party** (fig. 4, ref. num 72 and 73).

Regarding claim 8, Candella et al. teaches a method for a system which generates a credibility rating for individuals and organization entities based upon validity of identity facts and credibility of an entity comprising:

- Collecting multiple information aspects relating to the identity and credibility of said entity and entering same in a computer (fig. 2A, ref. num 28, 29, 30, 31);
- Evaluating and assigning rating scores for each of said information aspects of said entity and processing same is said computer (paragraph 0031); and
- Adding said rating scores for a total rating score of the credibility of said entity through said computer **pursuant to a rating method processor on said computer based system employing the following formula, RT=R1+R2+…+R**
- (fig. 4, ref. num 75);
- **Communicating said total rating score to said entity for evaluation of said score by said entity** (fig. 4, ref. num 72 and 73).

Regarding claim 9, Candella et al. teaches a method for a system which generates a credibility rating for individuals and organization entities based upon validity of identity facts and credibility **for** an entity comprising:

- Collection means for collecting multiple information aspects relating to the identity and credibility of said entity, said collection information aspects entered into a computer (fig. 2A, ref. num 28, 29, 30, 31);

- Evaluation means for evaluating and assigning rating scores for each of said information aspects of said entity, using said computer to process said scores (paragraph 0031); and
- **Deploying said data on a computer system** for adding said rating scores **on said computer** for a total rating score of the credibility of said **individual**, using said computer to said adding **and commanding said score to said entity** (fig. 4, ref. num 72, 73, and 75).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON S. HOFFMAN whose telephone number is (571)272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brandon S Hoffman/
Primary Examiner, Art Unit 2436